

SUMMARY OF CLAIMS

Claims 1, 3 and 14 are cancelled without prejudice to present these or similar claims in one or more pending applications. Claims 2, 4-13 and 15 are pending. Reconsideration is respectfully requested in view of the following remarks.

REMARKS

I. Interview summary

Applicants wish to acknowledge with appreciation the courtesies extended by Examiners Christopher Babic and Kenneth Horlick to Applicants' attorney, Al Halluin, during the Examiner Interview on March 29, 2006. The Examiners' comments were helpful to Applicants in preparing this Response.

II. Claim Rejections Under 35 U.S.C. §102(b):

The Examiner has rejected claims 1 and 15 under 35 U.S.C. §102(b) as being anticipated by Monforte et al (U.S. 5,700,642).

Applicants respectfully traverse the above rejection.

Claim 1 has been cancelled in the interest of advancing the prosecution of this application. The rejection under 35 U.S.C. §102(b) is mooted by this cancellation.

Claim 15 has been amended to be dependent on Claim 2. Monforte does not teach all the elements of Claim 15 for the following reasons. Monforte does not teach a system comprising a first and second solid supports, wherein the first solid support comprises releasable primers that are adapted to be released before an amplification reaction. Furthermore, Monforte does not teach a second solid support that comprises wells wherein "each well corresponds to at least one forward and at least one reverse primer for each target nucleic acid."

Therefore, Monforte does not teach all the elements of Claim 15. Based on the foregoing, Applicants respectfully request that the rejection of Claim 15 be withdrawn.

III. Claim rejections Under 35 U.S.C §103(a):

The Examiner has rejected Claims 2-13 under 35 U.S.C. §103(a) as being unpatentable over Rava et al. (U.S. 5,545,531) and Monforte (U.S. 5,700,642).

Applicants respectfully traverse the above rejection.

To establish a prima facie case of obviousness, “the prior art reference (or references when combined) must teach all or suggest all the claim limitations.” MPEP2143. As discussed above, Monforte does not teach or suggests all of the claimed limitations. Similarly, and as conceded by the Examiner, Rava et al does not teach primers. ” See Office Action mailed on 09/07/2005, p. 6 (“Rava et al. teach supports for processing multiple chip assays, but do not teach primers...”). Specifically, Rava does not teach forward or reverse primers, nor does Rava teach amplification. Furthermore, Rava does not teach a second solid support that comprises wells wherein “each well corresponds to at least one forward and at least one reverse primer for each target nucleic acid.”

Thus, the references cited by the Examiner, whether considered alone or in combination, do not teach or suggest all the elements of Claim 2, and fail to fulfill at least one of the requirements needed to establish a prima facie case of obviousness. Based on the foregoing, Applicants respectfully request that the rejection of Claim 2 be withdrawn.

CONCLUSION

In light of the remarks set forth above, Applicants believe that they are entitled to a letters patent. Applicants respectfully solicit the Examiner to expedite the prosecution of this patent application to issuance. Should the Examiner have any question, the Examiner is encouraged to telephone the undersigned.

The Commissioner is authorized to charge any fees that may be required in connection with this submission, including petition fees and extension of time fees, and to credit any overpayments to Deposit Account No. 23-2415 (Attorney Docket No. 28690-705.302).

Respectfully submitted,

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